

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
KASINE DELESTON,

Petitioner,

17-cv-3482 (PKC)
15-cr-113 (PKC)

-against-

ORDER

UNITED STATES OF AMERICA,

Respondent.
-----X

CASTEL, U.S.D.J.

Kasine Deleston, brought a motion to vacate, set aside or correct his sentence pursuant to 28 U.S.C. § 2255. In a Memorandum and Order filed March 13, 2018, the Court denied that motion and no appeal was taken.

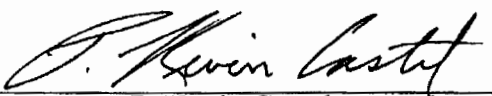
Deleston, by letter dated January 6, 2020, now moves pursuant to Rule 60(b)(6), Fed. R. Civ.P., “to reopen/reconsider” the Court’s March 13, 2018 denial of the prior motion. He does not offer any reason for having waited nearly 1 year, 10 months from seeking the relief. Nothing new has transpired in the interim. No extraordinary circumstances or extreme hardship has been demonstrated.

Deleston’s motion under Rule 60(b)(6) is DENIED.

Deleston has not made a substantial showing of the denial of a constitutional right and, accordingly, a certificate of appealability will not issue. 28 U.S.C. § 2253; see Blackman v. Ercole, 661 F.3d 161, 163-64 (2d Cir. 2011). His motion was not filed in forma pauperis, and the Court therefore makes no finding pursuant to 28 U.S.C. § 1915(a)(3).

Mailed to Deleston 1/8/2020

SO ORDERED.


P. Kevin Castel
United States District Judge

Dated: New York, New York
January 7, 2020